Crl. Rev. No. 542/01
(Old No. 1823/1994)

Hon'ble Irshad Hussain, J.

None appear for the revisionist despite service. Heard Sri H. C. Pandey learned A.G.A. and perused the record.

The revision under section 397/401 of the Code of Criminal Procedure (for short 'Code') was preferred against the judgement and order dated 26.10.1994 passed by Addl. CJM-III, Dehradun in criminal case no. 455/1994, whereby the respondents were acquitted of the charge under section 498-A I.P.C.

The petition was not admitted when it was filed before the Allahabad High Court. Perusal of the impugned judgement reveal that the learned Magistrate has made fair and proper appraisal of the evidence on record. There was also delay of four or five days in lodging the FIR. There is no perversity in the appraisal of the evidence adduced by the prosecution. Considering this, the revision cannot be admitted for hearing and the same is dismissed in limine.

(Irshad Hussain, J.)

Dated 10.06.2004
Rawat